

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

\_\_\_\_\_  
ELIZABETH BOLIN-CAMPBELL f/k/a  
ELIZABETH ANNE BOLIN,

Plaintiff,

-against-

THE ARCHDIOCESE OF NEW YORK, BLESSED  
SACRAMENT ELEMENTARY SCHOOL, CHURCH  
OF THE BLESSED SACRAMENT NEW ROCHELLE, and  
BLESSED SACRAMENT-ST. GABRIEL HIGH SCHOOL,

Defendants.  
\_\_\_\_\_

X

Date Index No. Purchased:

Index No.:

Plaintiff designates New York  
County as the place of trial.

The basis of venue is  
Defendants' residence.

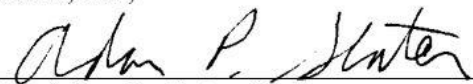
**SUMMONS**

The Above-Named Defendants:


**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
November 22, 2019

Yours, etc.,

  
By: Adam P. Slater, Esq.  
SLATER SLATER SCHULMAN LLP  
*Counsel for Plaintiff*  
488 Madison Avenue, 20<sup>th</sup> Floor  
New York, New York 10022  
(212) 922-0906

-and-

  
By: Gary Certain, Esq.  
CERTAIN & ZILBERG, PLLC  
*Counsel for Plaintiff*  
488 Madison Avenue, 20<sup>th</sup> Floor  
New York, New York 10022

TO:

THE ARCHDIOCESE OF NEW YORK  
1011 1<sup>st</sup> Avenue  
New York, New York 10022

BLESSED SACRAMENT ELEMENTARY SCHOOL  
24 Maple Ave.,  
New Rochelle, NY 10801

BLESSED SACRAMENT ELEMENTARY SCHOOL  
c/o THE ARCHDIOCESE OF NEW YORK  
1011 1<sup>st</sup> Avenue  
New York, New York 10022

BLESSED SACRAMENT CHURCH  
15 Shea Place  
New Rochelle, NY 10801

BLESSED SACRAMENT-ST. GABRIEL HIGH SCHOOL  
24 Shea Place  
New Rochelle, NY 11801

BLESSED SACRAMENT-ST. GABRIEL HIGH SCHOOL  
c/o THE ARCHDIOCESE OF NEW YORK  
1011 1<sup>st</sup> Avenue  
New York, New York 10022

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

\_\_\_\_\_X

ELIZABETH BOLIN-CAMPBELL f/k/a  
ELIZABETH ANNE BOLIN,

Date Filed:

Index No.:

**VERIFIED COMPLAINT**

Plaintiff,

-against-

THE ARCHDIOCESE OF NEW YORK, BLESSED  
SACRAMENT ELEMENTARY SCHOOL, CHURCH  
OF THE BLESSED SACRAMENT NEW ROCHELLE, and  
BLESSED SACRAMENT-ST. GABRIEL HIGH SCHOOL,

Defendants.

\_\_\_\_\_X

Plaintiff, Elizabeth Bolin-Campbell f/k/a/ Elizabeth Anne Bolin (“Plaintiff”), by her attorneys Slater Slater Schulman LLP and Certain & Zilberg, PLLC, brings this action against the Archdiocese of New York (“Archdiocese”), Blessed Sacrament Elementary School (“Blessed Sacrament Elementary”), Blessed Sacrament Church (“Church”), and Blessed Sacrament-St. Gabriel High School (Blessed Sacrament High School) and alleges, on personal knowledge as to herself and on information and belief as to all other matters, as follows:

**JURISDICTION AND VENUE**

1. This action is brought pursuant to the Children Victims Act (“CVA”) (L. 2019 c. 11). *See* CPLR § 214-g and 22 NYCRR 202.72.

2. This Court has personal jurisdiction over the Archdiocese pursuant to CPLR §§ 301 and 302, in that the Archdiocese either resides in New York or conducts or, at relevant times, conducted activities in New York that give rise to the claims asserted herein.

3. This Court has personal jurisdiction over the Blessed Sacrament Elementary pursuant to CPLR §§ 301 and 302, in that the Blessed Sacrament Elementary either resides in New York or conducts or, at relevant times, conducted activities in New York that give rise to the claims asserted herein.

4. This Court has personal jurisdiction over the Church pursuant to CPLR §§ 301 and 302, in that the Church either resides in New York or conducts or, at relevant times conducted, activities in New York that give rise to the claims asserted herein.

5. This Court has personal jurisdiction over the Blessed Sacrament High School pursuant to CPLR §§ 301 and 302, in that the Blessed Sacrament High School either resides in New York or conducts or, at relevant times, conducted activities in New York that give rise to the claims asserted herein.

6. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

7. Venue for this action is proper in the County of New York pursuant to CPLR § 503 in that plaintiff resides in this County.

### **PARTIES**

8. Whenever reference is made to any defendant entity, such reference includes that entity, its parent companies, subsidiaries, affiliates, predecessors, and successors. In addition, whenever reference is made to any act, deed, or transaction of any entity, the allegation means that the entity engaged in the act, deed, or transaction by or through its officers, directors, agents employees, or representatives while they were actively engaged in the management, direction, control, or transaction of the entity's business affairs.

9. Plaintiff is an individual residing in King County, Washington. Plaintiff was an infant at the time of the sexual abuse alleged herein.

10. At all times material to the Verified Complaint, Archdiocese was and continues to be a non-profit religious corporation, organized exclusively for charitable, religious, and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

11. At all times material to the Verified Complaint, Archdiocese was and remains authorized to conduct business under the laws of the State of New York.

12. At all times material to the Verified Complaint, Archdiocese's principal place of business is 1011 1<sup>st</sup> Avenue, New York, New York 10022.

13. The Archdiocese oversees a variety of liturgical, educational, sacramental, and faith formation programs.

14. The Archdiocese has various programs that seek out the participation of children in its activities.

15. The Archdiocese, through its agents, servants, and/or employees has control over those activities involving children.

16. The Archdiocese has the power to employ individuals who work with children, and/or provide guidance and/or instruction under the auspices of Defendant Archdiocese, including but not limited to those at the Blessed Sacrament Elementary.

17. The Archdiocese has the power to employ individuals who work with children, and/or provide guidance and/or instruction under the auspices of Defendant Archdiocese, including but not limited to those at the Church.

18. At all times material to the Verified Complaint, the Blessed Sacrament Elementary was a religious educational institution affiliated with, associated with, or operating under the control of the Archdiocese.

19. At all times material to the Verified Complaint, the Blessed Sacrament Elementary was a religious educational institution affiliated with, associated with, or operating under the control of the Church.

20. At all times material to the Verified Complaint, the Blessed Sacrament Elementary was licensed to conduct business as a school in the State of New York.

21. At all times material to the Verified Complaint, the Blessed Sacrament Elementary maintained its principal place of business at 24 Maple Ave., New Rochelle, NY 10801.

22. At all times material to the Verified Complaint, the Church was and continues to be a religious New York State non-profit entity.

23. At all times material to the Verified Complaint, the Church maintained its principal place of business at 15 Shea Place, New Rochelle, NY 10801.

24. At all times material to the Verified Complaint, the Church is a parish operating under the control of the Archdiocese.

25. At all times material to the Verified Complaint, the Church is a parish operating for the benefit of the Archdiocese.

26. At all times material to the Verified Complaint, the Blessed Sacrament High School was a religious educational institution affiliated with, associated with, or operating under the control of the Archdiocese.

27. At all times material to the Verified Complaint, the Blessed Sacrament High School was a religious educational institution affiliated with, associated with, or operating under the control of the Church.

28. At all times material to the Verified Complaint, the Blessed Sacrament High School was licensed to conduct business as a school in the State of New York.

29. At all times material to the Verified Complaint, the Blessed Sacrament High School maintained its principal place of business at 24 Shea Place, New Rochelle, NY 10801.

30. At all times material to the Verified Complaint, Father Michael Kevin John was an agent, servant, and/or employee of the Archdiocese.

31. At all times material to the Verified Complaint, Father Michael Kevin John was an agent, servant, and/or employee of the Blessed Sacrament Elementary.

32. At all times material to the Verified Complaint, Father Michael Kevin John was an agent, servant, and/or employee of the Church.

33. At all times material to the Verified Complaint, Father Michael Kevin John was an agent, servant, and/or employee of the Blessed Sacrament High School.

34. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Archdiocese, Father Michael Kevin John remained under the control and supervision of the Archdiocese.

35. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Archdiocese, Father Michael Kevin John remained under the control and supervision of the Blessed Sacrament Elementary.

36. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Archdiocese, Father Michael Kevin John remained under the control and supervision of the Church.

37. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Archdiocese, Father Michael Kevin John remained under the control and supervision of the Blessed Sacrament High School

38. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Blessed Sacrament Elementary, Father Michael Kevin John remained under the control and supervision of the Archdiocese.

39. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Blessed Sacrament Elementary, Father Michael Kevin John remained under the control and supervision of the Blessed Sacrament Elementary.

40. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Blessed Sacrament Elementary, Father Michael Kevin John remained under the control and supervision of the Church.

41. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Church, Father Michael Kevin John remained under the control and supervision of the Archdiocese.

42. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Church, Father Michael Kevin John remained under the control and supervision of the Blessed Sacrament Elementary.



43. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Church, Father Michael Kevin John remained under the control and supervision of the Church.

44. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Blessed Sacrament High School, Father Michael Kevin John remained under the control and supervision of the Archdiocese.

45. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Blessed Sacrament High School, Father Michael Kevin John remained under the control and supervision of the Blessed Sacrament High School.

46. At all times material to the Verified Complaint, while an agent, servant and/or employee of the Blessed Sacrament Elementary, Father Michael Kevin John remained under the control and supervision of the Church.

47. The Archdiocese placed Father Michael Kevin John in positions where he had immediate access to children.

48. The Blessed Sacrament Elementary placed Father Michael Kevin John in positions where he had immediate access to children.

49. The Church placed Father Michael Kevin John in positions where he had immediate access to children.

50. The Blessed Sacrament High School placed Father Michael Kevin John in positions where he had immediate access to children.

**THE CATHOLIC CHURCH'S LONG HISTORY  
OF COVERING UP CHILD SEXUAL ABUSE**

51. In 1962, the Vatican in Rome issued a Papal Instruction binding upon all Bishops throughout the world including the Bishop of the Archdiocese. The instruction was binding upon

the Bishop of the Archdiocese. The instruction directed that allegations and reports of sexual abuse of children by priests were required to be kept secret and not disclosed either to civil authorities such as law enforcement, to co-employees or supervisors of parish priests, or to parishioners generally.

52. Canon law requires Bishops to keep *subsecreto* files also known as confidential files. These files are not to be made public.

53. Because of problems of sexual misconduct of Catholic clergy, the Catholic Church and other organizations sponsored treatment centers for priests that had been involved in sexual misconduct, including centers in Albuquerque, New Mexico, Suitland, Maryland, Downingtown Pennsylvania, and Ontario, Canada.

54. Sexual abuse of members of the public by Catholic clergy and agents of the Church has been a reality in the Catholic Church for centuries but has remained concealed by a pattern and practice of secrecy. This secrecy is rooted in the official policies of the Catholic Church which are applicable to all dioceses and in fact are part of the practices of each Archdiocese, including the Archdiocese. Sexual abuse of minors by Catholic clergy and religious leaders became publicly known in the mid 1980's as a result of media coverage of a case in Lafayette, Louisiana. Since that time, the media has continued to expose cases of clergy sexual abuse throughout the United States. In spite of these revelations as well as the many criminal and civil legal-actions the Church has been involved in as a result of sexual abuse of minors by clergy and other agents of the Church, the bishops and other Church leaders continued to pursue a policy of secrecy.

55. All of the procedures required in the so-called "Dallas Charter" to purportedly protect children have been previously mandated in the Code of Canon Law but were consistently ignored by Catholic bishops. In place of the required processes, which would have kept a written

record of cases of clergy sexual abuse, the bishops applied a policy of clandestine transfer of accused priests from one local or diocesan assignment to another or from one Archdiocese to another. The receiving parishioners and often the receiving pastors were not informed of any accusations of sexual abuse of minors.

56. The truth concerning the extent of the frequency of sexual abuse at the hands of Catholic priests, other clergy and agents of the Church, and Catholic Church's pervasive campaign to cover up such crimes continues to be revealed. In approximately 2003, the Suffolk County Supreme Court Special Grand Jury issued a Report ("Grand Jury Report"), which investigated child sexual abuse by the Archdiocese's priests. The Report documented the Archdiocese's cover up of sexual abuse. In the course of the Grand Jury investigation, it heard testimony from 97 witnesses and considered hundreds of pages of documents regarding priests of the Archdiocese sexually violating children.

57. The Grand Jury Report contains a number of startling observations and conclusions, including:

- "A general failure of supervision from officials of the Archdiocese, to individual pastors and other priests living in rectories, compounded and perpetuated these violations with devastating consequences for children."
- "Priests committed crimes against children of the Archdiocese. These crimes were treated as a matter of sin and never reported to law enforcement authorities."
- "The culture of the Archdiocese was one of secrecy and obfuscation. Diocesan officials purposely withheld information from parishioners and from their own priests and pastors."
- "Most children did not report the crimes against them until long after the criminal statute of limitations had lapsed. Those who did were promised help but received little. Instead, they were ignored, belittled and revictimized."
- "In some cases... the Archdiocese procrastinated for the sole purpose of making sure that the civil and criminal statutes of limitation were no longer applicable in the cases."

- "The policy was to avoid scandal by the suppression of information. Priests and Diocesan officials lied about what they knew about sexually abusive priests to their parishioners and to the public at large. This policy put children at grave risk."
- "The response of priests in the Diocesan hierarchy to allegations of criminal sexual abuse was not pastoral. In fact, although there was a written policy that set forth a pastoral tone, it was a sham."
- "Abusive priests were protected under the guise of confidentiality; their histories mired in secrecy. Professional treatment recommendations were ignored, and dangerous priests allowed to minister to children."

58. In approximately 2004, the Archdiocese publicly admitted that it knew of 66 priests who worked in the Archdiocese who had been accused of sexually molesting minors. The Archdiocese has never publicly released those names. As a result, children are at risk of being sexually molested. Further, the public is placed under the mistaken belief that Defendants do not have undisclosed knowledge of clerics who present a danger to children.

59. Refusal to disclose sexually abusing clerics to parishioners and even fellow clerics has been one way utilized by Defendant to maintain secrecy. Another has been to use various forms of persuasion on victims or their families to convince them to remain silent about incidents of abuse. These forms of persuasion have included methods that have ranged from sympathetic attempts to gain silence to direct intimidation to various kinds of threats. In so doing the clergy involved, from bishops to priests, have relied on their power to overwhelm victims and their families.

60. The sexual abuse of children and the Catholic Church's abhorrent culture of concealing these crimes are at the heart of the allegations complained of herein.

61. The Child Victims Act was enacted for the explicit purpose of providing survivors of child sexual abuse with the recourse to bring a private right of action against the sexual predators who abused them and the institutions that concealed their crimes.

**FACTS**

62. Plaintiff was raised in a devout Roman Catholic family and, in or around 1976, when Plaintiff was approximately twelve (12) years old, Plaintiff began attending Blessed Sacrament Elementary, a school within and under the auspices of the Archdiocese.

63. At all relevant times, Plaintiff participated in youth, educational, and/or religious activities at Blessed Sacrament Elementary.

64. At all relevant times, Plaintiff participated in youth, educational, and/or religious activities at the Church.

65. Plaintiff received educational and religious instruction from Blessed Sacrament Elementary.

66. Plaintiff received educational and religious instruction from the Church.

67. During and through these educational and religious instructional activities, Plaintiff, as a minor and vulnerable child, was dependent on Blessed Sacrament Elementary and Father Michael Kevin John.

68. During and through these educational and religious instructional activities, Plaintiff, as a minor and vulnerable child, was dependent on the Church and Father Michael Kevin John.

69. During and through these educational and religious instructional activities, Plaintiff, as a minor and vulnerable child, was dependent on the Archdiocese and Father Michael Kevin John.

70. During and through these educational and religious instructional activities, Blessed Sacrament Elementary had physical custody of Plaintiff and accepted the entrustment of Plaintiff.

71. During and through these educational and religious instructional activities, the Church had physical custody of Plaintiff and accepted the entrustment of Plaintiff.

72. During and through these educational and religious instructional activities, the Archdiocese had physical custody of Plaintiff and accepted the entrustment of Plaintiff.

73. During and through these educational and religious instructional activities, Blessed Sacrament Elementary had assumed the responsibility of caring for Plaintiff and had authority over her.

74. During and through these educational and religious instructional activities, the Church had assumed the responsibility of caring for Plaintiff and had authority over her.

75. During and through these educational and religious instructional activities, the Archdiocese had responsibility of Plaintiff and authority over her.

76. Through Father Michael Kevin John's positions at, within, or for the Archdiocese, Father Michael Kevin John was put in direct contact with Plaintiff, a student of the Blessed Sacrament Elementary. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

77. Through Father Michael Kevin John's positions at, within, or for the Archdiocese, Father Michael Kevin John was put in direct contact with Plaintiff, a member of the Church. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

78. Through Father Michael Kevin John's positions at, within, or for the Blessed Sacrament Elementary, Father Michael Kevin John was put in direct contact with Plaintiff, a

student of the Blessed Sacrament Elementary. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

79. Through Father Michael Kevin John's positions at, within, or for the Blessed Sacrament Elementary, Father Michael Kevin John was put in direct contact with Plaintiff, a member of the Church. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

80. Through Father Michael Kevin John's positions at, within, or for the Church, Father Michael Kevin John was put in direct contact with Plaintiff, a student at the Blessed Sacrament Elementary. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

81. Through Father Michael Kevin John's positions at, within, or for the Church, Father Michael Kevin John was put in direct contact with Plaintiff, a member of the Church. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

82. Through Father Michael Kevin John's positions at, within, or for the Blessed Sacrament High School, Father Michael Kevin John was put in direct contact with Plaintiff, a student of the Blessed Sacrament Elementary. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

83. Through Father Michael Kevin John's positions at, within, or for the Blessed Sacrament High School, Father Michael Kevin John was put in direct contact with Plaintiff, a member of the Church. It was under these circumstances that Plaintiff came to be under the direction, contact, and control of Father Michael Kevin John, who used his position of authority and trust over Plaintiff to sexually abuse and harass Plaintiff.

84. On repeated occasions, while Plaintiff was a minor, Father Michael Kevin John, while acting as a priest, teacher, counselor, advisor, mentor, trustee, director, officer, employee, agent, servant and/or volunteer of the Archdiocese, sexually assaulted, sexually abused, and/or had sexual contact with Plaintiff in violation of the laws of the State of New York, including the New York State Penal Law.

85. On repeated occasions, while Plaintiff was a minor, Father Michael Kevin John, while acting as a priest, teacher, counselor, advisor, mentor, trustee, director, officer, employee, agent, servant and/or volunteer of the Blessed Sacrament Elementary, sexually assaulted, sexually abused, and/or had sexual contact with Plaintiff in violation of the laws of the State of New York, including the New York State Penal Law.

86. On repeated occasions, while Plaintiff was a minor, Father Michael Kevin John, while acting as a priest, teacher, counselor, advisor, mentor, trustee, director, officer, employee, agent, servant and/or volunteer of the Church, sexually assaulted, sexually abused, and/or had sexual contact with Plaintiff in violation of the laws of the State of New York, including the New York State Penal Law.

87. On repeated occasions, while Plaintiff was a minor, Father Michael Kevin John, while acting as a priest, teacher, counselor, advisor, mentor, trustee, director, officer, employee, agent, servant and/or volunteer of the Blessed Sacrament High School, sexually assaulted, sexually



abused, and/or had sexual contact with Plaintiff in violation of the laws of the State of New York, including the New York State Penal Law.

88. The abuse occurred approximately in or about 1976-1977.

89. Plaintiff's relationship to the Archdiocese, as a vulnerable minor, student, parishioner and participant in Blessed Sacrament Elementary educational and religious instructional activities, was one in which Plaintiff was subject to the Archdiocese's ongoing influence. The dominating culture of the Catholic Church over Plaintiff pressured Plaintiff not to report Father Michael Kevin John's sexual abuse of her.

90. Plaintiff's relationship to the Blessed Sacrament Elementary, as a vulnerable minor, student, parishioner and participant in Blessed Sacrament Elementary educational and religious instructional activities, was one in which Plaintiff was subject to Blessed Sacrament Elementary's ongoing influence. The dominating culture of the Catholic Church over Plaintiff pressured Plaintiff not to report Father Michael Kevin John's sexual abuse of her.

91. Plaintiff's relationship to the Church, as a vulnerable minor, student, parishioner and participant in Church educational and religious instructional activities, was one in which Plaintiff was subject to the Church's ongoing influence. The dominating culture of the Catholic Church over Plaintiff pressured Plaintiff not to report Father Michael Kevin John's sexual abuse of her.

92. At no time did the Archdiocese ever send an official, a member of the clergy, an investigator or any employee or independent contractor to the Blessed Sacrament Elementary to advise or provide any form of notice to the students or their parents, either verbally or in writing, that there were credible allegations against Father Michael Kevin John and to request that anyone

who saw, suspected or suffered sexual abuse to come forward and file a report with the police department. Rather, the Archdiocese remained silent.

93. At no time did the Archdiocese ever send an official, a member of the clergy, an investigator or any employee or independent contractor to the Church to advise or provide any form of notice to the students or their parents, either verbally or in writing, that there were credible allegations against Father Michael Kevin John and to request that anyone who saw, suspected or suffered sexual abuse to come forward and file a report with the police department. Rather, the Archdiocese remained silent.

94. At no time did the Archdiocese ever send an official, a member of the clergy, an investigator or any employee or independent contractor to the Blessed Sacrament High School to advise or provide any form of notice to the students or their parents, either verbally or in writing, that there were credible allegations against Father Michael Kevin John and to request that anyone who saw, suspected or suffered sexual abuse to come forward and file a report with the police department. Rather, the Archdiocese remained silent.

95. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Archdiocese.

96. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Blessed Sacrament Elementary.

97. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Church.

98. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Blessed Sacrament High School.

99. The Archdiocese knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual activities of Father Michael Kevin John, who sexually abused Plaintiff.

100. Blessed Sacrament Elementary knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual activities of Father Michael Kevin John, who sexually abused Plaintiff.

101. The Church knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual activities of Father Michael Kevin John, who sexually abused Plaintiff.

102. Blessed Sacrament High School knew and/or reasonably should have known, and/or knowingly condoned, and/or covered up the inappropriate and unlawful sexual activities of Father Michael Kevin John, who sexually abused Plaintiff.

103. The Archdiocese negligently or recklessly believed that Father Michael Kevin John was fit to work with children and/or that any previous problems he had were fixed and cured; that Father Michael Kevin John would not sexually molest children; and that Father Michael Kevin John would not injure children.

104. Blessed Sacrament Elementary negligently or recklessly believed that Father Michael Kevin John was fit to work with children and/or that any previous problems he had were fixed and cured; that Father Michael Kevin John would not sexually molest children; and that Father Michael Kevin John would not injure children.

105. The Church negligently or recklessly believed that Father Michael Kevin John was fit to work with children and/or that any previous problems he had were fixed and cured; that

Father Michael Kevin John would not sexually molest children; and that Father Michael Kevin John would not injure children.

106. Blessed Sacrament High School negligently or recklessly believed that Father Michael Kevin John was fit to work with children and/or that any previous problems he had were fixed and cured; that Father Michael Kevin John would not sexually molest children; and that Father Michael Kevin John would not injure children.

107. The Archdiocese had the responsibility to supervise and/or direct priests and other Blessed Sacrament Elementary educators and personnel serving at Blessed Sacrament Elementary and specifically had a duty not to aid a pedophile such as Father Michael Kevin John by assigning, maintaining and/or appointing him to a position with access to minors.

108. The Archdiocese had the responsibility to supervise and/or direct priests and other Blessed Sacrament High School educators and personnel serving at Blessed Sacrament High School and specifically had a duty not to aid a pedophile such as Father Michael Kevin John by assigning, maintaining and/or appointing him to a position with access to minors.

109. Blessed Sacrament Elementary had the responsibility to supervise and/or direct priests and other Blessed Sacrament Elementary educators and personnel serving at Blessed Sacrament Elementary and specifically had a duty not to aid a pedophile such as Father Michael Kevin John by assigning, maintaining and/or appointing him to a position with access to minors.

110. The Church had the responsibility to supervise and/or direct priests and other Blessed Sacrament Elementary educators and personnel serving at Blessed Sacrament Elementary and specifically had a duty not to aid a pedophile such as Father Michael Kevin John by assigning, maintaining and/or appointing him to a position with access to minors.

111. The Church had the responsibility to supervise and/or direct priests and other Blessed Sacrament High School educators and personnel serving at Blessed Sacrament High School and specifically had a duty not to aid a pedophile such as Father Michael Kevin John by assigning, maintaining and/or appointing him to a position with access to minors.

112. Blessed Sacrament High School had the responsibility to supervise and/or direct priests and other Blessed Sacrament High School educators and personnel serving at Blessed Sacrament High School and specifically had a duty not to aid a pedophile such as Father Michael Kevin John by assigning, maintaining and/or appointing him to a position with access to minors.

113. By holding Father Michael Kevin John out as safe to work with children and by undertaking the custody, supervision of, and/or care of the minor Plaintiff, the Archdiocese entered into a fiduciary relationship with the minor Plaintiff. As a result of Plaintiff's being a minor and by the Archdiocese undertaking the care and guidance of the vulnerable minor Plaintiff, the Archdiocese held a position of empowerment over Plaintiff.

114. By holding Father Michael Kevin John out as safe to work with children and by undertaking the custody, supervision of, and/or care of the minor Plaintiff, Blessed Sacrament Elementary entered into a fiduciary relationship with the minor Plaintiff. As a result of Plaintiff's being a minor, and by Blessed Sacrament Elementary undertaking the care and guidance of the vulnerable minor Plaintiff, Blessed Sacrament Elementary held a position of empowerment over Plaintiff.

115. By holding Father Michael Kevin John out as safe to work with children and by undertaking the custody, supervision of, and/or care of the minor Plaintiff, the Church entered into a fiduciary relationship with the minor Plaintiff. As a result of Plaintiff's being a minor, and by

the Church undertaking the care and guidance of the vulnerable minor Plaintiff, the Church held a position of empowerment over Plaintiff.

116. The Archdiocese, by holding itself out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment. This empowerment prevented the then minor Plaintiff from effectively protecting herself. The Archdiocese thus entered into a fiduciary relationship with Plaintiff.

117. The Blessed Sacrament Elementary, by holding itself out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment. This empowerment prevented the then minor Plaintiff from effectively protecting herself. The Blessed Sacrament Elementary thus entered into a fiduciary relationship with Plaintiff.

118. The Church, by holding itself out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment. This empowerment prevented the then minor Plaintiff from effectively protecting herself. The Church thus entered into a fiduciary relationship with Plaintiff.

119. The Archdiocese had a special relationship with Plaintiff.

120. Blessed Sacrament Elementary had a special relationship with Plaintiff.

121. The Church had a special relationship with Plaintiff.

122. The Archdiocese owed Plaintiff a duty of reasonable care because the Archdiocese had superior knowledge about the risk that Father Michael Kevin John posed to Plaintiff, the risk of abuse in general in its programs, and/or the risks that its facilities posed to minor children.

123. Blessed Sacrament Elementary owed Plaintiff a duty of reasonable care because the Blessed Sacrament Elementary had superior knowledge about the risk that Father Michael Kevin

John posed to Plaintiff, the risk of abuse in general in its programs, and/or the risks that its facilities posed to minor children.

124. The Church owed Plaintiff a duty of reasonable care because the Archdiocese had superior knowledge about the risk that Father Michael Kevin John posed to Plaintiff, the risk of abuse in general in its programs, and/or the risks that its facilities posed to minor children.

125. Blessed Sacrament High School owed Plaintiff a duty of reasonable care because the Blessed Sacrament High School had superior knowledge about the risk that Father Michael Kevin John posed to Plaintiff, the risk of abuse in general in its programs, and/or the risks that its facilities posed to minor children.

126. The Archdiocese owed Plaintiff a duty of reasonable care because it solicited youth and parents for participation in its youth programs; encouraged youth and parents to have the youth participate in its programs; undertook custody of minor children, including Plaintiff; promoted its facilities and programs as being safe for children; held its agents including Father Michael Kevin John out as safe to work with children; encouraged parents and children to spend time with its agents; and/or encouraged its agents, including Father Michael Kevin John, to spend time with, interact with, and recruit children.

127. Blessed Sacrament Elementary owed Plaintiff a duty of reasonable care because it solicited youth and parents for participation in its youth programs; encouraged youth and parents to have the youth participate in its programs; undertook custody of minor children, including Plaintiff; promoted its facilities and programs as being safe for children; held its agents including Father Michael Kevin John out as safe to work with children; encouraged parents and children to spend time with its agents; and/or encouraged its agents, including Father Michael Kevin John, to spend time with, interact with, and recruit children.

128. The Church owed Plaintiff a duty of reasonable care because it solicited youth and parents for participation in its youth programs; encouraged youth and parents to have the youth participate in its programs; undertook custody of minor children, including Plaintiff; promoted its facilities and programs as being safe for children; held its agents including Father Michael Kevin John out as safe to work with children; encouraged parents and children to spend time with its agents; and/or encouraged its agents, including Father Michael Kevin John, to spend time with, interact with, and recruit children.

129. The Archdiocese owed Plaintiff a duty to protect Plaintiff from harm because the Archdiocese's actions created a foreseeable risk of harm to Plaintiff.

130. Blessed Sacrament Elementary owed Plaintiff a duty to protect Plaintiff from harm because the Blessed Sacrament Elementary's actions created a foreseeable risk of harm to Plaintiff.

131. The Church owed Plaintiff a duty to protect Plaintiff from harm because the Church's actions created a foreseeable risk of harm to Plaintiff.

132. Blessed Sacrament High School owed Plaintiff a duty to protect Plaintiff from harm because the Blessed Sacrament High School's actions created a foreseeable risk of harm to Plaintiff

133. The Archdiocese's breach of its duties include but are not limited to: failure to have sufficient policies and procedures to prevent child sexual abuse, failure to properly implement the policies and procedures to prevent child sexual abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sexual abuse were working, failure to adequately inform families and children or the risks of child sexual abuse, failure to investigate risks of child sexual abuse, failure to properly train the workers at institutions and programs within the Archdiocese, geographical confines, failure to protect children in its programs from child sexual abuse, failure to adhere to the applicable standard of care for child safety, failure to



investigate the amount and type of information necessary to represent the institutions, programs, leaders and people as safe, failure to train its employees properly to identify signs of child molestation by fellow employees, failure by relying on mental health professionals, and/or failure by relying on people who claimed that they could treat child molesters.

134. Blessed Sacrament Elementary's breach of its duties include but are not limited to: failure to have sufficient policies and procedures to prevent child sexual abuse, failure to properly implement the policies and procedures to prevent child sexual abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sexual abuse were working, failure to adequately inform families and children of the risks of child sexual abuse, failure to investigate risks of child sexual abuse, failure to properly train the workers at institutions and programs within the Blessed Sacrament Elementary, geographical confines, failure to protect children in its programs from child sexual abuse, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, leaders and people as safe, failure to train its employees properly to identify signs of child molestation by fellow employees, failure by relying on mental health professionals, and/or failure by relying on people who claimed that they could treat child molesters.

135. Blessed Sacrament High School's breach of its duties include but are not limited to: failure to have sufficient policies and procedures to prevent child sexual abuse, failure to properly implement the policies and procedures to prevent child sexual abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sexual abuse were working, failure to adequately inform families and children of the risks of child sexual abuse, failure to investigate risks of child sexual abuse, failure to properly train the workers at institutions

and programs within the Blessed Sacrament High School, geographical confines, failure to protect children in its programs from child sexual abuse, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, leaders and people as safe, failure to train its employees properly to identify signs of child molestation by fellow employees, failure by relying on mental health professionals, and/or failure by relying on people who claimed that they could treat child molesters.

136. The Church's breach of its duties include but are not limited to: failure to have sufficient policies and procedures to prevent child sexual abuse, failure to properly implement the policies and procedures to prevent child sexual abuse, failure to take reasonable measures to make sure that the policies and procedures to prevent child sexual abuse were working, failure to adequately inform families and children of the risks of child sexual abuse, failure to investigate risks of child sexual abuse, failure to properly train the workers at institutions and programs within the Blessed Sacrament Elementary, geographical confines, failure to protect children in its programs from child sexual abuse, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, leaders and people as safe, failure to train its employees properly to identify signs of child molestation by fellow employees, failure by relying on mental health professionals, and/or failure by relying on people who claimed that they could treat child molesters.

137. The Archdiocese also breached its duties to Plaintiff by failing to warn Plaintiff and Plaintiff's family of the risk that Father Michael Kevin John posed and the risks of child sexual abuse by clerics and other Church and Blessed Sacrament Elementary personnel.

138. The Archdiocese also failed to warn Plaintiff and Plaintiff's family about any of the knowledge that it had about child sexual abuse.

139. Blessed Sacrament Elementary also breached its duties to Plaintiff by failing to warn Plaintiff and Plaintiff's family of the risk that Father Michael Kevin John posed and the risks of child sexual abuse by clerics and other church and Blessed Sacrament Elementary personnel.

140. Blessed Sacrament Elementary also failed to warn Plaintiff and Plaintiff's family about any of the knowledge that it had about child sexual abuse.

141. The Church also breached its duties to Plaintiff by failing to warn Plaintiff and Plaintiff's family of the risk that Father Michael Kevin John posed and the risks of child sexual abuse by clerics and other church and Blessed Sacrament Elementary personnel.

142. The Church also failed to warn Plaintiff and Plaintiff's family about any of the knowledge that it had about child sexual abuse.

143. Blessed Sacrament High School also breached its duties to Plaintiff by failing to warn Plaintiff and Plaintiff's family of the risk that Father Michael Kevin John posed and the risks of child sexual abuse by clerics and other Church and Blessed Sacrament High School personnel.

144. Blessed Sacrament High School also failed to warn Plaintiff and Plaintiff's family about any of the knowledge that it had about child sexual abuse.

145. The Archdiocese also violated a legal duty by failing to report known and/or suspected abuse of children by Father Michael Kevin John and/or its other agents to the police and law enforcement.

146. Blessed Sacrament Elementary also violated a legal duty by failing to report known and/or suspected abuse of children by Father Michael Kevin John and/or its other agents to the police and law enforcement.

147. The Church also violated a legal duty by failing to report known and/or suspected abuse of children by Father Michael Kevin John and/or its other agents to the police and law enforcement.

148. Blessed Sacrament High School also violated a legal duty by failing to report known and/or suspected abuse of children by Father Michael Kevin John and/or its other agents to the police and law enforcement.

149. By employing Father Michael Kevin John at Blessed Sacrament Elementary and other facilities within the Archdiocese, the Archdiocese, through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Archdiocese did not know that Father Michael Kevin John had a history of molesting children, and that the Archdiocese did not know that Father Michael Kevin John was a danger to children.

150. By employing Father Michael Kevin John at Blessed Sacrament High School and other facilities within the Archdiocese, the Archdiocese, through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Archdiocese did not know that Father Michael Kevin John had a history of molesting children, and that the Archdiocese did not know that Father Michael Kevin John was a danger to children.

151. By employing Father Michael Kevin John at Blessed Sacrament Elementary, Blessed Sacrament Elementary through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Blessed Sacrament Elementary did not know that Father

Michael Kevin John had a history of molesting children, and that the Blessed Sacrament Elementary did not know that Father Michael Kevin John was a danger to children.

152. By employing Father Michael Kevin John at Blessed Sacrament Elementary, the Church through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Blessed Sacrament Elementary did not know that Father Michael Kevin John had a history of molesting children, and that the Church did not know that Father Michael Kevin John was a danger to children.

153. By employing Father Michael Kevin John at Blessed Sacrament High School, the Church through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Blessed Sacrament High School did not know that Father Michael Kevin John had a history of molesting children, and that the Church did not know that Father Michael Kevin John was a danger to children.

154. By employing Father Michael Kevin John at Blessed Sacrament High School, Blessed Sacrament High School through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Blessed Sacrament High School did not know that Father Michael Kevin John had a history of molesting children, and that Blessed Sacrament High School did not know that Father Michael Kevin John was a danger to children.

155. By employing Father Michael Kevin John at the Church, the Church through its agents, affirmatively represented to minor children and their families that Father Michael Kevin John did not pose a threat to children, did not have a history of molesting children, that the Church

did not know that Father Michael Kevin John had a history of molesting children, and that the Blessed Sacrament Elementary did not know that Father Michael Kevin John was a danger to children.

156. The Archdiocese induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

157. Blessed Sacrament Elementary induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

158. The Church induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

159. Blessed Sacrament High School induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

160. The Archdiocese has never publicly admitted the veracity of the allegations against Father Michael Kevin John, warned the public and/or conducted outreach to potential victims of his sexual abuse. The pattern and practice of intentionally failing to disclose the identities and locations of sexually inappropriate and/or abusive clerics has been practiced by the Archdiocese for decades and continues through current day. The failure to disclose the identities of allegedly sexually inappropriate and/or abusive teachers and clerics is unreasonable and knowingly or recklessly creates or maintains a condition which endangers the safety or health of a considerable number of members of the public, including Plaintiff.

161. Blessed Sacrament Elementary has never publicly admitted the veracity of the allegations against Father Michael Kevin John, warned the public and/or conducted outreach to potential victims of his sexual abuse. The pattern and practice of intentionally failing to disclose the identities and locations of sexually inappropriate and/or abusive clerics has been practiced by

the Blessed Sacrament Elementary for decades and continues through current day. The failure to disclose the identities of allegedly sexually inappropriate and/or abusive teachers and clerics is unreasonable and knowingly or recklessly creates or maintains a condition which endangers the safety or health of a considerable number of members of the public, including Plaintiff.

162. The Church has never publicly admitted the veracity of the allegations against Father Michael Kevin John, warned the public and/or conducted outreach to potential victims of his sexual abuse. The pattern and practice of intentionally failing to disclose the identities and locations of sexually inappropriate and/or abusive clerics has been practiced by the Church for decades and continues through current day. The failure to disclose the identities of allegedly sexually inappropriate and/or abusive teachers and clerics is unreasonable and knowingly or recklessly creates or maintains a condition which endangers the safety or health of a considerable number of members of the public, including Plaintiff.

163. Blessed Sacrament High School has never publicly admitted the veracity of the allegations against Father Michael Kevin John, warned the public and/or conducted outreach to potential victims of his sexual abuse. The pattern and practice of intentionally failing to disclose the identities and locations of sexually inappropriate and/or abusive clerics has been practiced by the Blessed Sacrament High School for decades and continues through current day. The failure to disclose the identities of allegedly sexually inappropriate and/or abusive teachers and clerics is unreasonable and knowingly or recklessly creates or maintains a condition which endangers the safety or health of a considerable number of members of the public, including Plaintiff.

164. By allowing Father Michael Kevin John to remain in active ministry, the Archdiocese, through its agents, has made and continues to make affirmative representations to minor children and their families, including Plaintiff and Plaintiff's family, that Father Michael

Kevin John does not pose a threat to children, does not have a history of molesting children, that the Archdiocese does not know that Father Michael Kevin John has a history of molesting children and that the Archdiocese does not know that Father Michael Kevin John is a danger to children.

165. The Archdiocese induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

166. By allowing Father Michael Kevin John to remain in active ministry, Blessed Sacrament Elementary, through its agents, has made and continues to make affirmative representations to minor children and their families, including Plaintiff and Plaintiff's family, that Father Michael Kevin John does not pose a threat to children, does not have a history of molesting children, that Blessed Sacrament Elementary does not know that Father Michael Kevin John has a history of molesting children and that the Blessed Sacrament Elementary does not know that Father Michael Kevin John is a danger to children.

167. Blessed Sacrament Elementary induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

168. By allowing Father Michael Kevin John to remain in active ministry, the Church, through its agents, has made and continues to make affirmative representations to minor children and their families, including Plaintiff and Plaintiff's family, that Father Michael Kevin John does not pose a threat to children, does not have a history of molesting children, that the Church does not know that Father Michael Kevin John has a history of molesting children and that the Church does not know that Father Michael Kevin John is a danger to children.

169. The Church induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.



170. By allowing Father Michael Kevin John to remain in active ministry, Blessed Sacrament High School, through its agents, has made and continues to make affirmative representations to minor children and their families, including Plaintiff and Plaintiff's family, that Father Michael Kevin John does not pose a threat to children, does not have a history of molesting children, that Blessed Sacrament High School does not know that Father Michael Kevin John has a history of molesting children and that the Blessed Sacrament High School does not know that Father Michael Kevin John is a danger to children.

171. Blessed Sacrament High School induced Plaintiff and Plaintiff's family to rely on these representations and they did rely on them.

172. The Archdiocese ignored credible complaints about the sexually abusive behaviors of priests and/or teachers.

173. Blessed Sacrament Elementary ignored credible complaints about the sexually abusive behaviors of priests and/or teachers.

174. The Church ignored credible complaints about the sexually abusive behaviors of priests and/or teachers.

175. Blessed Sacrament High School ignored credible complaints about the sexually abusive behaviors of priests and/or teachers.

176. The Archdiocese failed to act on obvious warning signs of sexual abuse, including instances where they were aware that priests had children in their private rooms in the rectory overnight, that priests were drinking alcohol with underage children and exposing them to pornography.

177. Even where a priest disclosed sexually abusive behavior with children, Archdiocese officials failed to act to remove him from ministry.

178. The Archdiocese engaged in conduct that resulted in the prevention, hinderance and delay in the discovery of criminal conduct by priests

179. The Archdiocese conceived and agreed to a plan using deception and intimidation to prevent victims from seeking legal solutions to their problems.

180. As a result of Defendants' conduct described herein, Plaintiff has and will continue to suffer personal physical and psychological injuries, including but not limited to great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, problems sleeping, concentrating, low self-confidence, low self-respect, low self-esteem, feeling of worthlessness, feeling shameful, and embarrassed, feeling alone and isolated, losing faith in God, losing faith in authority figures, feeling estranged from the church feeling helpless, and hopeless, problems with sexual intimacy, relationship problems, trust issues, feeling confused and angry, depression, anxiety, feeling dirty, used, and damaged, suicidal ideations, having traumatic flashbacks, and feeling that her childhood and innocence was stolen. Plaintiff was prevented and will continue to be prevented from performing Plaintiff's normal daily activities; has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling; and, on information and belief, has incurred and will continue to incur loss of income and/or loss of earning capacity. As a victim of Defendants' misconduct, Plaintiff is unable at this time to fully describe all the details of that abuse and the extent of the harm Plaintiff suffered as a result.

181. The Archdiocese violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, Blessed Sacrament Elementary officials, teachers, day care center workers, providers of family or group family day care, and any

other child care worker to report suspected cases of child abuse and impose liability for failure to report.

182. Blessed Sacrament Elementary violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, Blessed Sacrament Elementary officials, teachers, day care center workers, providers of family or group family day care, and any other child care worker to report suspected cases of child abuse and impose liability for failure to report.

183. The Church violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, Blessed Sacrament Elementary officials, teachers, day care center workers, providers of family or group family day care, and any other child care worker to report suspected cases of child abuse and impose liability for failure to report.

184. Blessed Sacrament High School violated various New York statutes, including, but not limited to N.Y. Soc. Serv. Law §§ 413 and 420, which require, *inter alia*, Blessed Sacrament High School officials, teachers, day care center workers, providers of family or group family day care, and any other child care worker to report suspected cases of child abuse and impose liability for failure to report.

185. The injuries and damages suffered by Plaintiff are specific in kind to Plaintiff, special, peculiar, and above and beyond those injuries and damages suffered by the public.

186. The limitations of liability set forth in Article 16 of the CPLR do not apply to the causes of action alleged herein.

**FIRST CAUSE OF ACTION: NEGLIGENCE**

187. Plaintiff repeats and realleges by reference each and every allegation set forth above as if fully set forth herein.

188. The Archdiocese knew, or was negligent in not knowing, that Father Michael Kevin John posed a threat of sexual abuse to children.

189. Blessed Sacrament Elementary knew, or was negligent in not knowing, that Father Michael Kevin John posed a threat of sexual abuse to children.

190. The Church knew, or was negligent in not knowing, that Father Michael Kevin John posed a threat of sexual abuse to children.

191. Blessed Sacrament High School knew, or was negligent in not knowing, that Father Michael Kevin John posed a threat of sexual abuse to children.

192. The acts of Father Michael Kevin John described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with the Archdiocese.

193. The acts of Father Michael Kevin John described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with Blessed Sacrament Elementary.

194. The acts of Father Michael Kevin John described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with the Church.

195. The acts of Father Michael Kevin John described hereinabove were undertaken, and/or enabled by, and/or during the course, and/or within the scope of his employment, appointment, and/or agency with Blessed Sacrament High School.

196. The Archdiocese owed Plaintiff a duty to protect Plaintiff from Father Michael Kevin John's sexual deviancy, both prior to and/or subsequent to Father Michael Kevin John's misconduct.

197. Blessed Sacrament Elementary owed Plaintiff a duty to protect Plaintiff from Father Michael Kevin John's sexual deviancy, both prior to and/or subsequent to Father Michael Kevin John's misconduct.

198. The Church owed Plaintiff a duty to protect Plaintiff from Father Michael Kevin John's sexual deviancy, both prior to and/or subsequent to Father Michael Kevin John's misconduct.

199. Blessed Sacrament High School owed Plaintiff a duty to protect Plaintiff from Father Michael Kevin John's sexual deviancy, both prior to and/or subsequent to Father Michael Kevin John's misconduct.

200. The Archdiocese's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

201. Blessed Sacrament Elementary's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

202. The Church's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

203. Blessed Sacrament High School's willful, wanton, grossly negligent and/or negligent act(s) of commission and/or omission, resulted directly and/or proximately in the damages set forth herein at length.

204. At all times material hereto, with regard to the allegations contained herein, Father Michael Kevin John was under the direct supervision, employ and/or control of the Archdiocese.

205. At all times material hereto, with regard to the allegations contained herein, Father Michael Kevin John was under the direct supervision, employ and/or control of the Blessed Sacrament Elementary.

206. At all times material hereto, with regard to the allegations contained herein, Father Michael Kevin John was under the direct supervision, employ and/or control of the Church.

207. At all times material hereto, with regard to the allegations contained herein, Father Michael Kevin John was under the direct supervision, employ and/or control of the Blessed Sacrament High School.

208. At all times material hereto, the Archdiocese's actions were willful, wanton, malicious, reckless, and outrageous in their disregard for the rights and safety of Plaintiff.

209. At all times material hereto, the Blessed Sacrament Elementary's actions were willful, wanton, malicious, reckless, and outrageous in their disregard for the rights and safety of Plaintiff.

210. At all times material hereto, the Church's actions were willful, wanton, malicious, reckless, and outrageous in their disregard for the rights and safety of Plaintiff.

211. At all times material hereto, the Blessed Sacrament High School's actions were willful, wanton, malicious, reckless, and outrageous in their disregard for the rights and safety of Plaintiff.

212. As a direct and/or indirect result of said conduct, Plaintiff has suffered the injuries and damages described herein.

213. By reason of the foregoing, Defendants jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

**SECOND CAUSE OF ACTION: NEGLIGENT HIRING, RETENTION, SUPERVISION,  
AND/OR DIRECTION**

214. Plaintiff repeats and realleges by reference each and every allegation set forth above as if fully set forth herein.

215. The Archdiocese hired Father Michael Kevin John.

216. Blessed Sacrament Elementary hired Father Michael Kevin John.

217. The Church hired Father Michael Kevin John.

218. Blessed Sacrament High School hired Father Michael Kevin John.

219. The Archdiocese hired Father Michael Kevin John for a position that required him to work closely with, teach, mentor, and counsel young boys and girls.

220. Blessed Sacrament Elementary hired Father Michael Kevin John for a position that required him to work closely with, mentor, and counsel young boys and girls.

221. The Church hired Father Michael Kevin John for a position that required him to work closely with, mentor, and counsel young boys and girls.

222. Blessed Sacrament High School hired Father Michael Kevin John for a position that required him to work closely with, mentor, and counsel young boys and girls.

223. The Archdiocese was negligent in hiring Father Michael Kevin John because it knew or should have known through the exercise of reasonable care, of Father Michael Kevin John's propensity to develop inappropriate relationships with children in his charge.

224. Blessed Sacrament Elementary was negligent in hiring Father Michael Kevin John because it knew or should have known through the exercise of reasonable care, of Father Michael Kevin John's propensity to develop inappropriate relationships with children in his charge.

225. The Church was negligent in hiring Father Michael Kevin John because it knew or should have known through the exercise of reasonable care, of Father Michael Kevin John's propensity to develop inappropriate relationships with children in his charge.

226. Blessed Sacrament High School was negligent in hiring Father Michael Kevin John because it knew or should have known through the exercise of reasonable care, of Father Michael Kevin John's propensity to develop inappropriate relationships with children in his charge.

227. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by the Archdiocese to teach, mentor and counsel children in the Blessed Sacrament Elementary.

228. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by the Archdiocese to teach, mentor and counsel children in the Blessed Sacrament High School.

229. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by Church to teach, mentor and counsel children in the Blessed Sacrament Elementary.

230. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by Church to teach, mentor and counsel children in the Blessed Sacrament High School.

231. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by Blessed Sacrament High School to teach, mentor and counsel children in the Blessed Sacrament High School.



232. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by Blessed Sacrament Elementary to teach, mentor and counsel children in the Blessed Sacrament Elementary.

233. Father Michael Kevin John continued to molest Plaintiff while at the Blessed Sacrament Elementary.

234. Father Michael Kevin John continued to molest Plaintiff while at the Blessed Sacrament High School.

235. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been hired by the Archdiocese to teach, mentor and counsel children in the Church.

236. Father Michael Kevin John continued to molest Plaintiff while at the Church.

237. The harm complained of herein was foreseeable.

238. Plaintiff would have not suffered the foreseeable harm complained of herein but for the negligence of the Archdiocese in having placed Father Michael Kevin John and/or allowed Father Michael Kevin John to remain in his position.

239. Plaintiff would have not suffered the foreseeable harm complained of herein but for the negligence of the Blessed Sacrament Elementary in having placed Father Michael Kevin John and/or allowed Father Michael Kevin John to remain in his position.

240. Plaintiff would have not suffered the foreseeable harm complained of herein but for the negligence of the Church in having placed Father Michael Kevin John and/or allowed Father Michael Kevin John to remain in his position.

241. Plaintiff would have not suffered the foreseeable harm complained of herein but for the negligence of the Blessed Sacrament High School in having placed Father Michael Kevin John and/or allowed Father Michael Kevin John to remain in his position.

242. At all times while Father Michael Kevin John was employed or appointed by the Archdiocese, he was supervised by the Archdiocese and/or its agents and employees.

243. At all times while Father Michael Kevin John was employed or appointed by Blessed Sacrament Elementary, he was under the direction of, and/or answerable to, Blessed Sacrament Elementary and/or its agents and employees.

244. At all times while Father Michael Kevin John was employed or appointed by the Church, he was under the direction of, and/or answerable to, the Church and/or its agents and employees.

245. At all times while Father Michael Kevin John was employed or appointed by Blessed Sacrament High School, he was under the direction of, and/or answerable to, the Blessed Sacrament High School and/or its agents and employees.

246. The Archdiocese was negligent in its direction and/or supervision of Father Michael Kevin John in that it knew or should have known, through the exercise of ordinary care that Father Michael Kevin John's conduct would subject third parties to an unreasonable risk of harm, including Father Michael Kevin John's propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

247. The Archdiocese failed to take steps to prevent such conduct from occurring.

248. Blessed Sacrament Elementary was negligent in its direction and/or supervision of Father Michael Kevin John in that it knew, or should have known through the exercise of ordinary

care, that Father Michael Kevin John's conduct would subject third parties to an unreasonable risk of harm, including Father Michael Kevin John's propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

249. Blessed Sacrament Elementary failed to take steps to prevent such conduct from occurring.

250. The Church was negligent in its direction and/or supervision of Father Michael Kevin John in that it knew, or should have known through the exercise of ordinary care, that Father Michael Kevin John's conduct would subject third parties to an unreasonable risk of harm, including Father Michael Kevin John's propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

251. The Church failed to take steps to prevent such conduct from occurring.

252. Blessed Sacrament High School was negligent in its direction and/or supervision of Father Michael Kevin John in that it knew, or should have known through the exercise of ordinary care, that Father Michael Kevin John's conduct would subject third parties to an unreasonable risk of harm, including Father Michael Kevin John's propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

253. Blessed Sacrament High School failed to take steps to prevent such conduct from occurring.

254. The Archdiocese was negligent in its retention of Father Michael Kevin John in that that it knew, or should have known through the exercise of reasonable care, of his propensity

to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

255. The Archdiocese retained Father Michael Kevin John in his position as priest, teacher, mentor, and counselor to such children and thus left him in a position to continue such behavior.

256. Blessed Sacrament Elementary was negligent in its retention of Father Michael Kevin John in that that it knew, or should have known through the exercise of reasonable care, of his propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

257. Blessed Sacrament Elementary retained Father Michael Kevin John in his position as priest, teacher, mentor, and counselor to such children and thus left him in a position to continue such behavior.

258. The Church was negligent in its retention of Father Michael Kevin John in that that it knew, or should have known through the exercise of reasonable care, of his propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

259. The Church retained Father Michael Kevin John in his position as priest, teacher, mentor, and counselor to such children and thus left him in a position to continue such behavior.

260. Blessed Sacrament High School was negligent in its retention of Father Michael Kevin John in that that it knew, or should have known through the exercise of reasonable care, of his propensity to develop inappropriate relationships with children under his charge and to engage in sexual behavior and lewd and lascivious conduct with such children.

261. Blessed Sacrament High School retained Father Michael Kevin John in his position as priest, teacher, mentor, and counselor to such children and thus left him in a position to continue such behavior.

262. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Archdiocese as a priest, teacher, mentor, and counselor to the infant parishioners and/or students of the Blessed Sacrament Elementary, including Plaintiff.

263. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Archdiocese as a priest, teacher, mentor, and counselor to the infant parishioners and/or students of the Church, including Plaintiff.

264. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Archdiocese as a priest, teacher, mentor, and counselor to the infant parishioners and/or students of the Blessed Sacrament High School, including Plaintiff.

265. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by Blessed Sacrament Elementary as a priest, teacher, mentor, and counselor to the infant parishioners and/or students of Blessed Sacrament Elementary, including Plaintiff.

266. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by Blessed Sacrament High School as a priest, teacher, mentor, and counselor to the infant parishioners and/or students of the Blessed Sacrament High School, including Plaintiff.

267. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Church as a priest, mentor, and counselor to the infant parishioners and/or students of the Church, including Plaintiff.

268. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Church as a priest, mentor and counselor to the infant parishioners and/or students of the Blessed Sacrament Elementary, including Plaintiff.

269. Father Michael Kevin John would not and could not have been in a position to sexually abuse Plaintiff had he not been negligently retained, supervised, and/or directed by the Church as a priest, mentor and counselor to the infant parishioners and/or students of the Blessed Sacrament High School, including Plaintiff.

270. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages and for punitive damages, together with interest and costs.

**THIRD CAUSE OF ACTION: BREACH OF FIDUCIARY DUTY**

271. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

272. Through the position to which Father Michael Kevin John was assigned by the Archdiocese, Father Michael Kevin John was placed in direct contact with Plaintiff.

273. Through the position to which Father Michael Kevin John was assigned by Blessed Sacrament Elementary, Father Michael Kevin John was placed in direct contact with Plaintiff.

274. Through the position to which Father Michael Kevin John was assigned by the Church, Father Michael Kevin John was placed in direct contact with Plaintiff.

275. Through the position to which Father Michael Kevin John was assigned by Blessed Sacrament High School, Father Michael Kevin John was placed in direct contact with Plaintiff.

276. Father Michael Kevin John was assigned as a priest, teacher, and/or counselor at Blessed Sacrament Elementary assigned to teach and/or mentor Plaintiff.

277. Father Michael Kevin John was assigned as a priest, teacher, and/or counselor at the Church assigned to teach and/or mentor Plaintiff.

278. Father Michael Kevin John was assigned as a priest, teacher, and/or counselor at Blessed Sacrament High School assigned to teach and/or mentor Plaintiff.

279. It was under these circumstances that Plaintiff was entrusted to the care of the Diocese and - under its authority - came to be under the direction, control and dominance of Father Michael Kevin John.

280. It was under these circumstances that Plaintiff was entrusted to the care of the Blessed Sacrament Elementary and - under its authority - came to be under the direction, control and dominance of Father Michael Kevin John.

281. It was under these circumstances that Plaintiff was entrusted to the care of the Church and - under its authority - came to be under the direction, control and dominance of Father Michael Kevin John.

282. As a result, Father Michael Kevin John used his position to sexually abuse and harass Plaintiff.

283. There existed a fiduciary relationship of trust, confidence, and reliance between Plaintiff and the Archdiocese.

284. There existed a fiduciary relationship of trust, confidence, and reliance between Plaintiff and the Blessed Sacrament Elementary.

285. There existed a fiduciary relationship of trust, confidence, and reliance between Plaintiff and the Church.

286. Pursuant to its fiduciary relationship, the Archdiocese was entrusted with the well-being, care, and safety of Plaintiff.

287. Pursuant to its fiduciary relationship, the Blessed Sacrament Elementary was entrusted with the well-being, care, and safety of Plaintiff.

288. Pursuant to its fiduciary relationship, the Church was entrusted with the well-being, care, and safety of Plaintiff.

289. Pursuant to its fiduciary relationship, the Archdiocese assumed a duty to act in the best interests of Plaintiff.

290. Pursuant to its fiduciary relationship, the Blessed Sacrament Elementary assumed a duty to act in the best interests of Plaintiff.

291. Pursuant to its fiduciary relationship, the Church assumed a duty to act in the best interests of Plaintiff.

292. The Archdiocese breached its fiduciary duties to Plaintiff.

293. The Blessed Sacrament Elementary breached its fiduciary duties to Plaintiff.

294. The Church breached its fiduciary duties to Plaintiff.

295. At all times material hereto, the Archdiocese's actions and/or inactions were willful, wanton, malicious, reckless, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.



296. At all times material hereto, the Blessed Sacrament Elementary's actions and/or inactions were willful, wanton, malicious, reckless, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.

297. At all times material hereto, the Church's actions and/or inactions were willful, wanton, malicious, reckless, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.

298. At all times material hereto, the Blessed Sacrament High School's actions and/or inactions were willful, wanton, malicious, reckless, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.

299. As a direct result of said conduct, Plaintiff has suffered the injuries and damages described herein.

300. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory and punitive damages, together with interest and costs.

**FOURTH CAUSE OF ACTION: BREACH OF NON-DELEGABLE DUTY**

301. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

302. When Plaintiff was a minor, Plaintiff was placed in the care of the Archdiocese for the purposes of, *inter alia*, providing Plaintiff with a safe environment to receive an education.

303. As a result, there existed a non-delegable duty of trust between Plaintiff and the Archdiocese.

304. When Plaintiff was a minor, she was placed in the care of the Blessed Sacrament Elementary for the purposes of, *inter alia*, providing Plaintiff with a safe environment to receive an education.

305. As a result, there existed a non-delegable duty of trust between Plaintiff and the Blessed Sacrament Elementary.

306. When Plaintiff was a minor, she was placed in the care of the Church for the purposes of, *inter alia*, providing Plaintiff with a safe environment to receive an education.

307. As a result, there existed a non-delegable duty of trust between Plaintiff and the Church.

308. Plaintiff was a vulnerable child when placed within the care of the Archdiocese.

309. Plaintiff was a vulnerable child when placed within the care of the Blessed Sacrament Elementary.

310. Plaintiff was a vulnerable child when placed within the care of the Church.

311. Consequently, the Archdiocese was in the best position to prevent Plaintiff's abuse, and to learn of Father Michael Kevin John's repeated sexual abuse of Plaintiff and stop it.

312. Consequently, the Blessed Sacrament Elementary was in the best position to prevent Plaintiff's abuse and to learn of Father Michael Kevin John's repeated sexual abuse of Plaintiff and stop it.

313. Consequently, the Church was in the best position to prevent Plaintiff's abuse and to learn of Father Michael Kevin John's repeated sexual abuse of Plaintiff and stop it.

314. By virtue of the fact that Plaintiff was sexually abused as a minor student entrusted to the care of the Archdiocese, the Archdiocese breached its non-delegable duty to Plaintiff.

315. By virtue of the fact that Plaintiff was sexually abused as a minor student entrusted to the care of the Blessed Sacrament Elementary, the Blessed Sacrament Elementary breached its non-delegable duty to Plaintiff.

316. By virtue of the fact that Plaintiff was sexually abused as a minor student entrusted to the care of the Church, the Church breached its non-delegable duty to Plaintiff.

317. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Archdiocese.

318. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Blessed Sacrament Elementary.

319. At all times material hereto, Father Michael Kevin John was under the direct supervision, employ and/or control of the Church.

320. As a direct result of said conduct, Plaintiff has suffered the injuries and damages described herein.

321. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory and punitive damages, together with interest and costs.

**FIFTH CAUSE OF ACTION: BREACH OF DUTY IN LOCO PARENTIS**

322. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

323. Plaintiff was a minor when her parents entrusted her to the control of the Archdiocese for the purpose of, *inter alia*, providing Plaintiff with an education.

324. The Archdiocese owed a duty to adequately supervise its students to prevent foreseeable injuries.

325. As a result, the Archdiocese owed a duty to Plaintiff *in loco parentis*.

326. Plaintiff was a minor when her parents entrusted her to the control of the Blessed Sacrament Elementary for the purposes of, *inter alia*, providing Plaintiff with an education.

327. The Blessed Sacrament Elementary owed a duty to adequately supervise its students to prevent foreseeable injuries.

328. As a result, the Blessed Sacrament Elementary owed a duty to Plaintiff *in loco parentis*.

329. Plaintiff was a minor when her parents entrusted her to the control of the Church for the purposes of, *inter alia*, providing Plaintiff with an education.

330. The Church owed a duty to adequately supervise its students to prevent foreseeable injuries.

331. As a result, the Church owed a duty to Plaintiff *in loco parentis*.

332. The Archdiocese breached its duty *in loco parentis*.

333. The Blessed Sacrament Elementary breached its duty *in loco parentis*.

334. The Church breached its duty *in loco parentis*.

335. At all times material hereto, the Archdiocese's actions were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.

336. At all times material hereto, the Blessed Sacrament Elementary's actions were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.

337. At all times material hereto, the Church's actions were willful, wanton, malicious, reckless, negligent, grossly negligent and/or outrageous in its disregard for the rights and safety of Plaintiff.

338. As a direct result of the Archdiocese's conduct, Plaintiff has suffered the injuries and damages described herein.

339. As a direct result of the Blessed Sacrament Elementary's conduct, Plaintiff has suffered the injuries and damages described herein.

340. As a direct result of the Church's conduct, Plaintiff has suffered the injuries and damages described herein.

341. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory and punitive damages, together with interest and costs.

**SIXTH CAUSE OF ACTION: INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS**

342. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

343. At the time Father Michael Kevin John molested Plaintiff, which Father Michael Kevin John knew would cause, or disregarded the substantial probability that it would cause, severe emotional distress, the Archdiocese employed Father Michael Kevin John as Plaintiff's priest, teacher, mentor, and counselor.

344. It was part of Father Michael Kevin John's job as priest, teacher, role model, and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Archdiocese about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to violate Plaintiff.

345. At the time Father Michael Kevin John molested Plaintiff, which Father Michael Kevin John knew would cause, or disregarded the substantial probability that it would cause, severe emotional distress, the Blessed Sacrament Elementary employed Father Michael Kevin John as Plaintiff's priest, teacher, mentor, and counselor.

346. It was part of Father Michael Kevin John's job as priest, teacher, role model, and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the

representations made by the Blessed Sacrament Elementary about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to violate Plaintiff.

347. At the time Father Michael Kevin John molested Plaintiff, which Father Michael Kevin John knew would cause, or disregarded the substantial probability that it would cause, severe emotional distress, the Church employed Father Michael Kevin John as Plaintiff's priest, teacher, mentor, and counselor.

348. It was part of Father Michael Kevin John's job as priest, teacher, role model, and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Church about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to violate Plaintiff.

349. At the time Father Michael Kevin John molested Plaintiff, which Father Michael Kevin John knew would cause, or disregarded the substantial probability that it would cause, severe emotional distress, the Blessed Sacrament High School employed Father Michael Kevin John as Plaintiff's priest, teacher, mentor, and counselor.

350. It was part of Father Michael Kevin John's job as priest, teacher, role model, and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Blessed Sacrament High School about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to violate Plaintiff.

351. The Archdiocese knew and/or disregarded the substantial probability that Father Michael Kevin John's conduct would cause severe emotional distress to Plaintiff.

352. Blessed Sacrament Elementary knew and/or disregarded the substantial probability that Father Michael Kevin John's conduct would cause severe emotional distress to Plaintiff.

353. The Church knew and/or disregarded the substantial probability that Father Michael Kevin John's conduct would cause severe emotional distress to Plaintiff.

354. Blessed Sacrament High School knew and/or disregarded the substantial probability that Father Michael Kevin John's conduct would cause severe emotional distress to Plaintiff.

355. Plaintiff suffered severe emotional distress, including psychological and emotional injury as described above.

356. This distress was caused by Father Michael Kevin John's sexual abuse of Plaintiff.

357. The sexual abuse of Plaintiff was extreme and outrageous conduct, beyond all possible bounds of decency, atrocious and intolerable in a civilized community.

358. The Archdiocese is liable for Father Michael Kevin John's conduct under the doctrine of *respondeat superior*.

359. Blessed Sacrament Elementary is liable for Father Michael Kevin John's conduct under the doctrine of *respondeat superior*.

360. The Church is liable for Father Michael Kevin John's conduct under the doctrine of *respondeat superior*.

361. Blessed Sacrament High School is liable for Father Michael Kevin John's conduct under the doctrine of *respondeat superior*.

362. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory and punitive damages, together with interest and costs.

**SEVENTH CAUSE OF ACTION: NEGLIGENT INFLICTION OF  
EMOTIONAL DISTRESS**

363. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

364. As set forth at length herein, the actions of the Archdiocese, its predecessors and/or successors, agents, servants and/or employees, were conducted in a negligent and/or grossly negligent manner.

365. As set forth at length herein, the actions of the Blessed Sacrament Elementary, its predecessors and/or successors, agents, servants and/or employees were conducted in a negligent and/or grossly negligent manner.

366. As set forth at length herein, the actions of the Church, its predecessors and/or successors, agents, servants and/or employees were conducted in a negligent and/or grossly negligent manner.

367. As set forth at length herein, the actions of the Blessed Sacrament High School, its predecessors and/or successors, agents, servants and/or employees were conducted in a negligent and/or grossly negligent manner.

368. The Archdiocese's actions endangered Plaintiff's safety and caused her to fear for her own safety.

369. Blessed Sacrament Elementary's actions endangered Plaintiff's safety and caused her to fear for her own safety.

370. The Church's actions endangered Plaintiff's safety and caused her to fear for her own safety.

371. Blessed Sacrament High School's actions endangered Plaintiff's safety and caused her to fear for her own safety.

372. As a direct and proximate result of the Archdiocese's actions, which included but were not limited to, negligent and/or grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein, including but not limited to, mental and emotional distress.



373. As a direct and proximate result of Blessed Sacrament Elementary's actions, which included but were not limited to, negligent and/or grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein, including but not limited to, mental and emotional distress.

374. As a direct and proximate result of the Church's actions, which included but were not limited to, negligent and/or grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein, including but not limited to, mental and emotional distress.

375. As a direct and proximate result of Blessed Sacrament High School's actions, which included but were not limited to, negligent and/or grossly negligent conduct, Plaintiff suffered the severe injuries and damages described herein, including but not limited to, mental and emotional distress.

376. In addition to its own direct liability for negligently inflicting emotional distress on Plaintiff, the Archdiocese is also liable for Father Michael Kevin John's negligent infliction of emotional distress under the doctrine of *respondeat superior*.

377. At the time Father Michael Kevin John breached his duty to Plaintiff, Father Michael Kevin John was employed as Plaintiff's priest, teacher, mentor, and counselor by the Archdiocese.

378. It was part of Father Michael Kevin John's job as teacher, advisor, role model and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Archdiocese about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with, and touch, Plaintiff.

379. In addition to its own direct liability for negligently inflicting emotional distress on Plaintiff, the Blessed Sacrament Elementary is also liable for Father Michael Kevin John's negligent infliction of emotional distress under the doctrine of *respondeat superior*.

380. At the time Father Michael Kevin John breached his duty to Plaintiff, Father Michael Kevin John was employed as Plaintiff's priest, teacher, mentor, and counselor by the Blessed Sacrament Elementary.

381. It was part of Father Michael Kevin John's job as priest, teacher, advisor, role model and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Blessed Sacrament Elementary about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with, and touch, Plaintiff.

382. In addition to its own direct liability for negligently inflicting emotional distress on Plaintiff, the Church is also liable for Father Michael Kevin John's negligent infliction of emotional distress under the doctrine of *respondeat superior*.

383. At the time Father Michael Kevin John breached his duty to Plaintiff, Father Michael Kevin John was employed as Plaintiff's priest, teacher, mentor, and counselor by the Church.

384. It was part of Father Michael Kevin John's job as priest, teacher, advisor, role model and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Church about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with, and touch, Plaintiff.

385. In addition to its own direct liability for negligently inflicting emotional distress on Plaintiff, the Blessed Sacrament High School is also liable for Father Michael Kevin John's negligent infliction of emotional distress under the doctrine of *respondeat superior*.

386. At the time Father Michael Kevin John breached his duty to Plaintiff, Father Michael Kevin John was employed as Plaintiff's priest, teacher, mentor, and counselor by the Blessed Sacrament High School.

387. It was part of Father Michael Kevin John's job as priest, teacher, advisor, role model and mentor to gain Plaintiff's trust. Father Michael Kevin John used his position, and the representations made by the Blessed Sacrament High School about his character that accompanied that position, to gain Plaintiff's trust and confidence and to create opportunities to be alone with, and touch, Plaintiff.

388. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to Plaintiff for compensatory damages, and for punitive damages, together with interest and costs.

**EIGHTH CAUSE OF ACTION: BREACH OF STATUTORY DUTY TO REPORT  
ABUSE UNDER SOC. SERV. LAW §§ 413 and 420**

389. Plaintiff repeats and realleges each and every allegation set forth above as if fully set forth herein.

390. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, the Archdiocese, including but not limited to its teachers, administrators, and other Blessed Sacrament Elementary personnel, had a statutorily imposed duty to report reasonable suspicion of abuse of children in its care.

391. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Blessed Sacrament Elementary had a statutorily imposed duty to report reasonable suspicion of abuse of children in its care.

392. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, the Church had a statutorily imposed duty to report reasonable suspicion of abuse of children in its care.

393. Pursuant to N.Y. Soc. Serv. Law §§ 413 and 420, Blessed Sacrament High School had a statutorily imposed duty to report reasonable suspicion of abuse of children in its care.

394. The Archdiocese, including but not limited to its teachers, administrators, and other Blessed Sacrament Elementary personnel, breached that statutory duty by knowingly and willfully failing to report reasonable suspicion of abuse by Father Michael Kevin John of children in its care.

395. Blessed Sacrament Elementary, including but not limited to its teachers, administrators, and other Blessed Sacrament Elementary personnel, breached that statutory duty by knowingly and willfully failing to report reasonable suspicion of abuse by Father Michael Kevin John of children in its care.

396. The Church, including but not limited to its teachers, administrators, and other Blessed Sacrament Elementary personnel, breached that statutory duty by knowingly and willfully failing to report reasonable suspicion of abuse by Father Michael Kevin John of children in its care.

397. Blessed Sacrament High School, including but not limited to its teachers, administrators, and other Blessed Sacrament High School personnel, breached that statutory duty by knowingly and willfully failing to report reasonable suspicion of abuse by Father Michael Kevin John of children in its care.

398. As a direct and/or indirect result of said conduct, Plaintiff has suffered injuries and damages described herein.


399. By reason of the foregoing, Defendants, jointly, severally and/or in the alternative, are liable to plaintiff for compensatory damages, and for punitive damages, together with interest and costs.

**WHEREFORE**, it is respectfully requested that the Court grant judgment in this action in favor of the Plaintiff, and against the Defendants, in a sum of money in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with all applicable interest, costs, disbursements, as well as punitive damages and such other, further and different relief as the Court in its discretion shall deem to be just, proper and equitable.

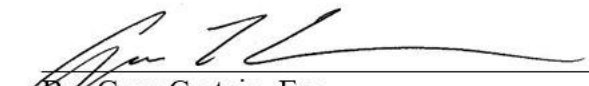
Plaintiff further places Defendants on notice and reserves the right that to interpose claims sounding in Fraudulent Concealment, Deceptive Practices and/or Civil Conspiracy should the facts and discovery materials support such claims.

Dated: New York, New York  
November 22, 2019

Yours, etc.,

  
By: Adam P. Slater, Esq.  
SLATER SLATER SCHULMAN LLP  
*Counsel for Plaintiff*  
488 Madison Avenue, 20<sup>th</sup> Floor  
New York, New York 10022  
(212) 922-0906

-and-

  
By: Gary Certain, Esq.  
CERTAIN & ZILBERG, PLLC  
*Counsel for Plaintiff*  
488 Madison Avenue, 20<sup>th</sup> Floor  
New York, New York 10022

**ATTORNEY'S VERIFICATION**

Adam P. Slater, an attorney duly admitted to practice law in the Courts of the State of New York, hereby affirms the following statements to be true under the penalties of perjury, pursuant to Rule 2106 of the CPLR:

Your affirmant is a partner of SLATER SLATER SCHULMAN, LLP, attorneys for the Plaintiff in the within action;

That he has read the foregoing Complaint and knows the contents thereof; that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

Affirmant further states that the source of his information and the grounds for his belief are derived from interviews with the Plaintiff and from the file maintained in the normal course of business.

Affirmant further states that the reason this verification is not made by the Plaintiff is that the Plaintiff is not presently within the County of New York, which is the county wherein the attorneys for the Plaintiff herein maintain their offices.

Dated: Melville, New York  
November 22, 2019

  
Adam P. Slater, Esq.

SUPREME COURT OF THE STATE NEW YORK  
COUNTY OF NEW YORK

-----X

ELIZABETH BOLIN-CAMPBELL f/k/a  
ELIZABETH ANNE BOLIN,

Index No.:

Plaintiff,

- against -

THE ARCHDIOCESE OF NEW YORK, BLESSED  
SACRAMENT ELEMENTARY SCHOOL, CHURCH  
OF THE BLESSED SACRAMENT NEW ROCHELLE, and  
BLESSED SACRAMENT-ST. GABRIEL HIGH SCHOOL,

Defendants.

-----X

## SUMMONS & VERIFIED COMPLAINT

Slater Slater Schulman LLP  
*Attorneys For Plaintiff*  
488 Madison Avenue, 20<sup>th</sup> Floor  
New York, New York 10022

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(212)922-0906

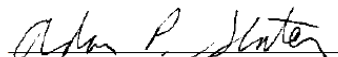
Certain & Zilberg, PLLC  
*Attorneys For Plaintiff*  
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New York, New York 10022

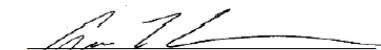
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(212)687-7800

### CERTIFICATION

Pursuant to 22 NYCRR §130-1.1-a, the undersigned, an attorney duly admitted to practice in the courts of the State of New York, certifies that, upon information and belief, and reasonable inquiry, the contentions contained in the annexed document are not frivolous as defined in subsection (c) of the aforesaid section.

  
Adam P. Slater, Esq.

  
Gary Certain, Esq.